



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Bill Mayer • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Bryon Gutow

TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
AGENDA PACKET

Regular Board Meeting
Wednesday, April 3, 2019

7:00 P.M. Regular Board Meeting

Community Center
1601 Discovery Bay Boulevard



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



SDLF Gold-Level of Governance

President – Bill Mayer • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Bryon Gutow

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY**

Wednesday April 3, 2019

REGULAR MEETING 7:00 P.M.

Community Center

1601 Discovery Bay Boulevard, Discovery Bay, California

Website address: www.todb.ca.gov

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Pledge of Allegiance.
3. Roll Call.

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the Agenda. The public may comment on any item on the Agenda at the time the item is before the Board for consideration by filling out a comment form. The public will be called to comment in the order the comment forms are received. Any person wishing to speak must come up and speak from the podium and will have 3 minutes to make their comment. There is a device on the podium with a green, yellow, and red light. The yellow light will come on 30 seconds before the end of the 3 minutes. There will be no dialog between the Board and the commenter as the law strictly limits the ability of Board members to discuss matters not on the agenda. We ask that you refrain from personal attacks during comment, and that you address all comments to the Board only. Any clarifying questions from the Board must go through the President. Comments from the public do not necessarily reflect the view point of the Directors.

C. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve DRAFT minutes of regular meeting for March 20, 2019.
2. Approve Register of District Invoices.
3. Approve HERWIT Engineering to prepare the 2019-2020 Annual Assessment Report for the Ravenswood Improvement District, Discovery Bay Landscape & Lighting Zone #9 by Resolution No. 2019-02.
4. Approve the Board President to Sign and Submit a Letter of Opposition to Assembly Bill 1486.
5. Approve the Board President to Sign and Submit Letters of Support to ACA 1.

D. AREA AGENCIES REPORTS / PRESENTATION

1. Supervisor Diane Burgis, District III Report.
2. Sheriff's Office Report.
3. CHP Report.
4. East Contra Costa Fire Protection District Report.

E. LIAISON REPORTS

F. PRESENTATIONS

1. Croce, Sanguinetti, & Vander Veen – Financial Audit.

G. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action Regarding Eliminating or Refurbishing or Building a New Community Center Pool.

H. MANAGER'S REPORT

I. DIRECTORS' REPORTS

1. Standing Committee Reports.
 - a. Water and Wastewater Committee Meeting (Committee Members Bill Pease and Bill Mayer)
March 21, 2019.
 - b. Special Finance Committee Meeting (Committee Members Robert Leete and Bill Mayer)
March 25, 2019.
2. Other Reportable Items.

J. GENERAL MANAGER'S REPORT

K. CORRESPONDENCE RECEIVED

1. East Contra Costa Fire Protection District Finance Committee meeting minutes for February 19, 2019.

L. FUTURE AGENDA ITEMS

M. ADJOURNMENT

1. Adjourn to the next regular meeting of April 17, 2019 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



SDLF Gold-Level of Governance

President – Bill Mayer • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Bryon Gutow

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY

Wednesday March 20, 2019

REGULAR MEETING 7:00 P.M.

Community Center

1601 Discovery Bay Boulevard, Discovery Bay, California

Website address: www.todb.ca.gov

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m. – By President Mayer.
2. Pledge of Allegiance – Led by Logan with Scouts Troop 514.
3. Roll Call – All Present.

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

None.

C. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve DRAFT minutes of regular meeting for March 6, 2019.
2. Approve DRAFT minutes of annual Board planning workshop for March 7, 2019.
3. Approve Register of District Invoices.

Motion by: Director Leete to approve the Consent Calendar.

Second by: Vice-President Pease.

Vote: Motion Carried – AYES: 5, NOES: 0

D. PRESENTATIONS

None.

E. MONTHLY WATER AND WASTEWATER REPORT – VEOLIA

1. Veolia Report – Month of February.

Project Manager Sadler – Provided the details of the February 2019 Monthly Operations Report. There was discussion regarding the salinity situation that is throughout the State.

General Manager Davies – Provided additional details regarding the salinity issue; Staff will be putting out a PSA notice to the residents for a reminder of Ordinance 24; banning of salt based water softeners. There was discussion regarding the salt based water softeners.

F. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action Regarding Revising Standing Committee Meeting Dates and Times.

General Manager Davies – Provided the details regarding the Standing Committee meetings. Staff is recommending the Board direct the Standing Committees amend the Bylaws to correspond to the meeting dates and times as tabled in the executive summary. There was discussion regarding the organization of Staff that meets the Boards requirements.

Motion by: Director Leete to approve Standing Committee Bylaws to be amended to the meeting dates and times as tabled in the Executive Summary.

Second by: Vice-President Pease.

Vote: Motion Carried – AYES: 5, NOES: 0

G. INFORMATIONAL ITEMS ONLY

None.

H. DIRECTORS' REPORTS

1. Standing Committee Reports.
 - a. Special Finance Committee Meeting (Committee Members Robert Leete and Bill Mayer) – March 7, 2019 – Director Leete provided the details regarding the financing of the potential swimming pool.
 - b. East Contra Costa Fire Protection District Meeting – March 13, 2019 – President Mayer provided the details regarding the increase of the Operating Budget, presentation to build a training center, Station 55 update, and details regarding the volunteer Fire Fighter recognition in Knightsen.
2. Board Training Reports
 - a. AB1825 Harassment – Certificate of Completion on File – Director Leete
3. Other Reportable Items – None.

I. MANAGER'S REPORT

None.

J. GENERAL MANAGER'S REPORT

General Manager Davies – Provided details regarding the Cal Trans meeting; the intersection of Discovery Bay Boulevard and Highway 4 related to the different points for consideration at the meeting. There were clarifying questions regarding the points for consideration, fines related to citations, and increased enforcement at the intersection.

General Manager Davies – Other details were provided related to additional turn lanes.

K. CORRESPONDENCE RECEIVED

1. Contra Costa County Aviation Advisory Committee meeting minutes for February 14, 2019.
2. Contra Costa County Aviation Advisory Committee meeting minutes for January 10, 2019.
3. Byron Municipal Advisory Council DRAFT minutes for February 26, 2019.
4. East Contra Costa Fire Protection District meeting minutes for February 13, 2019.
5. State Route 4 Bypass Authority meeting minutes for February 14, 2019.
6. Letter from Charles Helfrick regarding the Swimming Pool Project dated March 7, 2019.

L. FUTURE AGENDA ITEMS

Discovery Bay Boulevard and Highway 4 Intersection.

The regular meeting adjourned at 7:21 p.m. to the Closed Session.

M. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7)

Legal Counsel Pinasco - The Town of Discovery Bay will adjourn to Closed Session to consider the item addressed on the Agenda identified as N-1.

N. CLOSED SESSION:

1. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6
Agency Designated Representative: Michael R. Davies
Unrepresented Employee: All TODB Employees

O. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

(Government Code Section 54957.1)

Legal Counsel Pinasco - Reporting from Closed Session on item N-1 and there is no reportable action.

P. ADJOURNMENT

1. The meeting adjourned at 7:43 p.m. to the regular meeting on April 3, 2019 beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

//cmc – 03-21-19

<http://www.todb.ca.gov/agendas-minutes>



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

April 3, 2019

Prepared By: Dina Breitstein, Finance Manager & Lesley Marable, Accountant
Submitted By: Michael R. Davies, General Manager

MRD

Agenda Title

Approve Register of District Invoices.

Recommended Action

Staff recommends that the Board approve the listed invoices for payment.

Executive Summary

District invoices are paid on a regular basis, and must obtain Board authorization prior to payment. Staff recommends Board authorization in order that the District can continue to pay warrants in a timely manner.

Fiscal Impact:

Amount Requested \$ 255,774.11

Sufficient Budgeted Funds Available?: Yes (If no, see attached fiscal analysis)

Prog/Fund # See listing of invoices. **Category:** Operating Expenses and Capital Improvements

Previous Relevant Board Actions for This Item

Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2018/2019.

AGENDA ITEM: C-2

For The Meeting On April 03, 2019
Town of Discovery Bay CSD
For Fiscal Year's 7/18 - 6/19

Pacific Gas & Electric	\$64,049.37
Lighthouse Electrical, Inc.	\$61,431.25
Veolia Water North America	\$33,247.35
Stewart Signs	\$14,612.03
Neumiller & Beardslee	\$11,761.40
J.W. Backhoe & Construction, Inc.	\$10,030.44
Luhdorff & Scalmanini	\$9,991.25
Ricoh USA, Inc	\$8,974.36
East Contra Costa Fire District	\$7,800.00
Stantec Consulting Services Inc	\$4,249.00
Mt. Diablo Resource Recovery	\$3,963.58
Freedom Mailing Service, Inc	\$2,699.49
Tree West	\$2,400.00
Gemini Group L.L.C.	\$2,382.93
Tee Janitorial & Maintenance	\$2,054.00
SDRMA	\$1,420.64
Contra Costa County	\$1,304.89
United States Postal Services	\$1,260.00
TASC	\$1,233.31
Big Dog Computer	\$1,203.13
Paul E. Vaz Trucking, Inc.	\$1,060.27
Karina Dugand	\$1,050.00
Town of Discovery Bay, CSD	\$957.29
Matrix Trust	\$840.90
Office Depot	\$831.07
Kidz Love Soccer	\$777.00
Aflac	\$705.02
MTM Recognition Corp.	\$477.07
Comcast	\$388.24
Smeared Paint	\$382.50
Univar	\$297.57
ReliaStar Life Insurance Company	\$275.00
Bailey Bautista	\$227.31
Water Utility Customer Refund	\$216.28
MailFinance	\$214.58
UniFrist Corporation	\$194.37
Alhambra	\$148.75
County Of Contra Costa, Dept of Info Tec	\$108.00
Monica Gallo	\$98.34
Lesley Marable	\$97.84
Cintas	\$86.95
Sue Heint	\$82.44
Discovery Pest Control	\$68.00
Shred-It USA-Concord	\$59.65
Discovery Bay Designs	\$36.37
UPS	\$24.88
	<hr/>
	\$255,774.11



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

April 3, 2019

Prepared By: Dina Breitstein, Finance Manager
Submitted By: Dina Breitstein, Finance Manager

MRD

Agenda Title

Direction to HERWIT Engineering to prepare the 2019-2020 Annual Assessment Report for the Ravenswood Improvement District, Discovery Bay Landscape & Lighting Zone #9 by Resolution No. 2019-02.

Recommended Action

Adopt Resolution No. 2019-02 authorizing the Assessment review of the Ravenswood Improvement District Landscape and Lighting Zone #9, and direct Herwit Engineering to prepare the Engineer's Assessment Report.

Executive Summary

As part of the annual assessment process for the Ravenswood Improvement District – Discovery Bay Landscape and Lighting Zone #9, the Board must approve and direct an Engineer's Assessment Report be prepared. This approval must be by Resolution.

Since its inception, the Engineer's assessment reports have been drafted and prepared by HERWIT Engineering (HERWIT). Due to their in-depth knowledge of the zone and access to historical data, staff recommends approving Resolution 2019-02, which directs HERWIT to prepare the 2019-2020 Annual Assessment Report for Ravenswood Improvement District – Discovery Bay Landscape and Lighting Zone #9.

HERWIT Engineering would perform this work under the current contract with the Town for an amount not to exceed \$1,500.00.

Fiscal Impact:

Amount Requested \$1,500.00

Sufficient Budgeted Funds Available?: YES

Prog/Fund # 9/2310 Category: Operating Expenses

Previous Relevant Board Actions for This Item

None

Attachments

Resolution 2019-02.

AGENDA ITEM: C-3



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2019-02

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
REGARDING THE ANNUAL ASSESSMENT
OF THE RAVENSWOOD IMPROVEMENT DISTRICT
LANDSCAPE AND LIGHTING ZONE #9**

WHEREAS, the Board of Directors of the Town of Discovery Bay CSD, pursuant to a will-serve letter with the developer of that subdivision known as Ravenswood, has formed a landscaping, park, lighting and open space district, known as Ravenswood Improvement District – DB L&L Zone #9, for the purpose of providing for the operation and maintenance of landscaping, parks, street lights and open space installed in said subdivision by developer; and

WHEREAS, the Board of Directors now desires to levy the annual assessment for Fiscal Year 2019-2020 for such district.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY DOES HEREBY RESOLVE AS FOLLOWS:

1. The Board of Directors of the Town of Discovery Bay Community Services District, in an effort to deter crime, provide traffic safety, aid law enforcement, and provide a better neighborhood environment has formed an assessment district pursuant to California Streets & Highway Code, Division 15, Part 2, sections 22500 and following, pursuant to Resolution 2005-03.
2. The improvements, the operation and maintenance of which are intended to be funded by the assessments levied by the proposed assessment district, include all expenses associated with the maintenance and operation of non-privately owned landscaping, parks, street lights, and open space in the subdivision 8710 known as Ravenswood.
3. The assessment district consists of that property generally described as Subdivision 8710-Ravenswood being a subdivision of a portion of the Northwest quarter of Section 26, Township 1 North, Range 3 East, Mount Diablo Meridian as recorded in Book 458 of Maps, Pages 1-15, Contra Costa County Records.
4. HERWIT Engineering is hereby ordered to prepare a report for annual assessment for the assessment district in accordance with Article 4, of Chapter 1, of Part 2, of Division 15 (commencing with § 22565), of the California Streets and Highways Code, and to file it with the Secretary of the Board of Directors of the Town of Discovery Bay Community Services District.
5. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 3rd DAY OF April 2019.

Bill Mayer
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at this regular meeting held on April 3, 2019, by the following vote of the Board:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Michael R. Davies
Board Secretary



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

April 3, 2019

Prepared By: Michael R. Davies, General Manager
Submitted By: Michael R. Davies, General Manager

MRD

Agenda Title

Approve the Board President to Sign and Submit a Letter of Opposition to Assembly Bill 1486.

Recommended Action

Authorize the Board President to sign and submit a letter of opposition to Assembly Bill 1486.

Executive Summary

Assembly Member Phil Ting (D-San Francisco) has reintroduced a bill that would require special districts and other public agencies to offer a right of first refusal to affordable housing developers, schools, and park agencies before leasing, selling, or otherwise "conveying" any of the agency's land. The new mandate in Assembly Bill 1486 would prevent prudent efforts to lease or otherwise protect land for important community purposes, such as buffer land surrounding a water or wastewater treatment facility, energy generation plant, or airport, as well as the long-term lease of district property that will be needed for future infrastructure, such as hospitals, parks, harbors, and cemeteries.

The new requirements under AB 1486 would take effect regardless of the appropriateness of reserving the land for housing, schools, or parks, and regardless of the local agency's desire to protect or preserve the land for future use. AB 1486 mandates special districts to offer their land to these preferred purposes even before entering informal negotiations for the disposal of their property.

AB 1486 is substantially similar to AB 2065 (Ting, 2018), which CSDA members strongly opposed last year. Facing strong opposition from special districts and other public agencies, AB 2065 died on the suspense file in the Assembly Appropriations Committee.

CSDA has taken an oppose unless amended position on AB 1486 and is working to narrow the bill only to the sale of surplus property. CSDA is requesting we submit an opposition letter to this bill.

To read the Bill text: https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2065

Previous Relevant Board Actions for This Item

Attachments

Letter of Opposition to Assembly Bill 1486.

AGENDA ITEM: C-4



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



SDLF Gold-Level of Governance

President – Bill Mayer • Vice-President – Bill Pease • Director – Kevin Graves • Director – Robert Leete • Director – Bryon Gutow

April 3, 2019

The Honorable Phil Ting
California State Assembly
State Capitol
Sacramento, CA 95814

RE: Assembly Bill 1486 (Ting) – Oppose Unless Amended [As Introduced February 2, 2019]

Dear Assembly Member Ting:

The **Discovery Bay Community Services District** is respectfully opposed to Assembly Bill 1486 unless it is amended to address our concerns. AB 1486 requires public agencies to offer their land for development before leasing their property. The Discovery Bay Community Services District provides water, wastewater, lighting, landscaping, parks and recreation services to over 15,000 residents.

AB 1486 requires special districts and other local agencies to offer the right of first refusal to affordable housing developers, schools, and parks before selling, leasing, or otherwise conveying their land. The new mandate in Assembly Bill 1486 would prevent prudent efforts to lease or otherwise protect land for important community purposes, such as buffer land surrounding a water or wastewater treatment facility, energy generation plant, as well as the long-term lease of district property that may be needed for future infrastructure and amenities.

Under AB 1486, attempting to lease land in support of an agency's governmental function would trigger the requirements for the disposal of surplus land. As written, AB 1486 would require agencies to offer up property which may be incompatible for use for housing, schools, or parks. AB 1486 would also make it more difficult to protect an agency's land for a future governmental use.

We respectfully request AB 1486 be amended to limit the scope of the bill to the sale of surplus land and not include property for lease. Our opposition is not a challenge to the need for affordable housing, but a validation of the need for local flexibility when it comes to proper governmental land use management.

For these reasons, the Discovery Bay Community Services District respectfully opposes AB 1486 unless it is amended.

Sincerely,

**Bill Mayer, President of the Board of Directors
Town of Discovery Bay**

CC: Tara Gamboa-Eastman, Office of Assembly Member Phil Ting [Tara.Gamboa-Eastman@asm.ca.gov]
Assembly Member Jim Frazier
Senator Steven Glazer
Rylan Gervase, Legislative Representative, California Special Districts Association [advocacy@csla.net]



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

April 3, 2019

Prepared By: Michael R. Davies, General Manager
Submitted By: Michael R. Davies, General Manager

MRD

Agenda Title

Approve the Board President to Sign and Submit Letters of Support to ACA 1.

Recommended Action

Authorize the Board President to sign and submit letters of support to ACA 1.

Executive Summary

Currently, the California Constitution requires a two-thirds vote at the local level for both General Obligation (G.O.) bonds and special taxes, regardless of what the city, county, or special district proposes to use the funds for.

Assembly Constitutional Amendment ("ACA") 1 creates a new constitutional vote threshold of 55 percent for both G.O. bonds and special taxes, when proposed specifically for the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, or the acquisition or lease of real property for those purposes. The bill also specifies requirements for voter protection, public notice, and financial accountability.

ACA 1 defines "public infrastructure" to include (but not limited to) projects that provide the following:

- Water or protect water quality, sanitary sewer, treatment of wastewater or reduction of pollution from storm water runoff;
- Protection of property from impacts of sea level rise.
- Open space, parks and recreation facilities.
- Improvements to transit and streets and highways.
- Flood control.
- Broadband internet access service expansion in underserved areas.
- Local hospital construction.
- Public safety buildings or facilities and equipment.
- Public library facilities.

In practice, local officials propose a local bond or special tax, and then the voters in that community decide whether they support the idea or not. The voters would still need to overwhelmingly (with 55 percent of the vote) support a bond or special tax in order for it to be approved. ACA 1 will level the playing field and create parity between school districts and cities, counties, and special districts, so that all local governments have a viable financing tool to address community needs.

However, local school districts must only achieve 55 percent voter approval for school bonds to fund the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of schools, or the acquisition or lease of real property vote (Proposition 39, 2000).

From 2001 to 2013, over 2,200 local revenue measures have been placed before voters concerning school, city, county, or special district taxes or bonds. Majority vote tax measures have proven to be much more likely to pass, while just half of two-thirds vote measures succeeded. School bonds with a 55 percent have been the most successful, with four out of every five passing. In contrast, just half of two-thirds vote measures succeeded. A 55 percent voter threshold for special taxes would have made a dramatic difference. Nearly 80 percent of all two-thirds supermajority measures garnered more than 55 percent of "yes" votes.

Cities, counties, and special districts face numerous challenges in securing funding for important local public infrastructure projects. ACA 1 would provide viable financing options while providing robust public accountability. If ACA 1 should pass both houses of the Legislature with 2/3rds vote, it would then go before the voters in 2020 in order to take effect.

CSDA is requesting help in getting this bill signed into law by sending in a letter of support.

To read the Bill text: https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200ACA1

Previous Relevant Board Actions for This Item

Attachments

Letter of Support of ACA 1 to Assembly Member Frazier.
Letter of Support of ACA 1 to Senator Steven Glazer.

AGENDA ITEM: C-5



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



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April 3, 2019

The Honorable Jim Frazier
California State Assembly
State Capitol
Sacramento, CA 95814

Re: ACA 1 (Aguiar-Curry) – Local Government Financing - SUPPORT

Dear Assembly Member Frazier:

The **Discovery Bay Community Services District** is in support of ACA 1 (Aguiar- Curry), which will create a new voter approved mechanism with a vote threshold of 55% to approve local general obligation (G.O.) bonds and special taxes for certain affordable housing and public infrastructure projects. The Discovery Bay Community Services District provides water, wastewater, lighting, landscaping, parks and recreation services to over 15,000 residents.

ACA 1 targets the urgent needs of local communities. This measure gives local governments a more realistic financing option to address the numerous local public infrastructure challenges cities, counties, and special districts are facing. The California Constitution currently requires a two-thirds vote at the local level for both G.O. bonds and special taxes, regardless of the purpose a city, county, or special district is seeking those funds.

ACA 1 will provide mechanisms for cities, counties, and special districts to have a viable financing tool to help address important community needs for public infrastructure. Local voters would still need to overwhelmingly support a bond or special tax (with 55%) in order for it to be approved, thus protecting voters' control over how their tax dollars are spent. The bill also provides specific requirements for voter protection, public notice, and financial accountability.

If approved by the Legislature, ACA 1 would then have to achieve voter approval during a statewide election. This would further solidify the fact that voters support this change. Californians want to have an impact on their communities, because they know best what their families and neighbors need.

For these reasons, the Discovery Bay Community Services District is pleased to support Assembly Constitutional Amendment 1. Please feel free to contact me if you have any questions.

Sincerely,

Bill Mayer, President of the Board of Directors
Town of Discovery Bay

CC: Rylan Gervase, Legislative Representative, California Special Districts Association [advocacy@cdda.net]



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April 3, 2019

The Honorable Steven Glazer
California State Assembly
State Capitol
Sacramento, CA 95814

Re: ACA 1 (Aguiar-Curry) – Local Government Financing - SUPPORT

Dear Senator Glazer:

The **Discovery Bay Community Services District** is in support of ACA 1 (Aguiar- Curry), which will create a new voter approved mechanism with a vote threshold of 55% to approve local general obligation (G.O.) bonds and special taxes for certain affordable housing and public infrastructure projects. The Discovery Bay Community Services District provides water, wastewater, lighting, landscaping, parks and recreation services to over 15,000 residents.

ACA 1 targets the urgent needs of local communities. This measure gives local governments a more realistic financing option to address the numerous local public infrastructure challenges cities, counties, and special districts are facing. The California Constitution currently requires a two-thirds vote at the local level for both G.O. bonds and special taxes, regardless of the purpose a city, county, or special district is seeking those funds.

ACA 1 will provide mechanisms for cities, counties, and special districts to have a viable financing tool to help address important community needs for public infrastructure. Local voters would still need to overwhelmingly support a bond or special tax (with 55%) in order for it to be approved, thus protecting voters' control over how their tax dollars are spent. The bill also provides specific requirements for voter protection, public notice, and financial accountability.

If approved by the Legislature, ACA 1 would then have to achieve voter approval during a statewide election. This would further solidify the fact that voters support this change. Californians want to have an impact on their communities, because they know best what their families and neighbors need.

For these reasons, the Discovery Bay Community Services District is pleased to support Assembly Constitutional Amendment 1. Please feel free to contact me if you have any questions.

Sincerely,

Bill Mayer, President of the Board of Directors
Town of Discovery Bay

CC: Rylan Gervase, Legislative Representative, California Special Districts Association [advocacy@cda.net]



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

April 3, 2019

Prepared By: Michael R. Davies, General Manager
Submitted By: Michael R. Davies, General Manager

MRD

Agenda Title:

Discussion and Possible Action Regarding Eliminating or Refurbishing or Building a New Community Center Pool.

Recommended Action

Direct staff to proceed on either eliminating, refurbishing or building a new Community Center pool.

Background Overview

On 04/18/18 the Board approved renovations to the Community Center Pool. Adams Pool Company received the contract and commenced work.

On 11/07/18 the Board considered expanding the Pool to offer more aquatic programming and to meet swim meet standards. The Board requested more information and renovation work on the pool was suspended.

On 12/05/18 the Board approved a Scope of Work agreement with Terracon to conduct a geological report and site assessment related to a possible pool expansion.

On 02/06/19 Terracon provided an Executive Summary of the reports. In essence, the geological report indicated that soil conditions were such that significant structural engineering would not be necessary. The site survey provided information that, among other things, provided three "L-shaped" pool configurations with estimated costs based on the size of the "L" leg. The Board directed that the Park and Recreation Committee and the Finance Committee work with staff to review the information and make relevant recommendations.

On 02/20/19, the Park and Recreation Committee considered the Terracon Reports and information provided by staff. The recommendation of the Park and Recreation Committee is that if a new pool were to be built, it should be Terracon's Option #3 (the largest "L" leg). The rationale is that more aquatic programming can take place in the large pool, and as such, there is more opportunity for cost recovery through program fees.

On 03/07/19, the Finance Committee considered staff's analysis of build-cost estimates, estimates of operating and staffing expenses, estimates of potential programming revenue, and various financing options. The Committee directed staff to conduct some additional research into financing options, interest rates (if any), and an estimate of costs associated with eliminating the pool all together.

On 03/25/19, the Finance Committee received information from staff on multi-year financing options and the cost of eliminating the pool. Information on interest was not available. The recommendation of the Finance Committee is that if the new pool is built, it should be paid for with a down payment from funds paid to the Town by Hofmann in satisfaction of Hofmann's Community Center obligations to the Town (hereinafter "Hofmann Settlement" or "Hofmann Settlement Funds") and a 10-year loan from Wastewater. The longer financing plan will provide for greater cash flow and financial flexibility (can always pay it off early).

Estimated build cost, estimated operating and staffing expenses, and estimated revenue projections are below.

(continued...)

Summary of Alternatives

Hofmann Settlement Funds: \$1,312,755 (excluding interest)

Community Center Reserves: \$ 331,974

- 1) Eliminate the pool (fill it with dirt for future landscape or other alternate use). Estimated Cost: \$120,750.
If Balance Paid from Hofmann Settlement Fund: Leaves a balance of \$1,192,005
If Balance Paid from Community Center Reserves: Leaves a balance of \$ 211,224
- 2) Refurbish pool under current construction. Expended thus far \$92,230. Estimated additional cost of \$168,305 to complete. Total Estimated Cost: \$260,534.
If Balance Paid from Hofmann Settlement Fund: Leaves a balance of \$1,144,450
If Balance Paid from Community Center Reserves: Leaves a balance of \$ 163,669

- 3) Build New Pool. If this alternative is chosen:

Park and Recreation Committee recommends Pool Option #3 (Large "L" leg) and revise the Terracon build estimate of \$1,122,500 to a project estimate of \$1,391,212. The Larger pool allows for more aquatic programming choices, thus more cost recovery opportunities.

Finance Committee recommends paying for Pool Option #3 (estimated \$1,391,212) with funds from Hofmann Settlement in the amount of \$820,472 and borrow balance of \$570,741 from Wastewater. Payback of the funds borrowed from Wastewater would be pursuant to a loan with a 10-Year term in annual increments of \$57,074. The source of funds to repay the proposed loan would be from amounts remaining in the Hofmann Settlement, Hofmann Settlement accrued interest, and Community Center Reserves (if needed). The 10-year payback allows for greater cash flow and financial flexibility.

Hofmann Settlement Fund Balance (at end of 10 years): \$0

Community Center Reserve Balance: \$286,336 (if up to \$45,638 is used)

Pool Operations and Staffing Expense (Estimates)

Prior Pool:	\$84,765	New Pool:	\$136,035	Increase:	\$51,270
Operating:	\$50,250	Operating:	\$61,854	Operating:	\$11,604
Pool Staff:	\$34,515	Pool Staff:	\$74,181	Pool Staff:	\$39,666

Projected Potential Pool Revenue (Estimates)

River Otter Swim Team (50% participation increase)	\$12,000
Public Daily Swim Admission Fees (increased for new pool)	9,000
"Learn to Swim" Class Revenue (increased offerings)	52,000
Special Interest Town-Run Programming (lifeguard training, etc.)	8,000
Special Interest Contract Programming (Scuba, Fitness, etc.)	2,500

TOTAL \$83,500

Prior Year Aquatic Revenue: \$21,678 Potential Aquatic Revenue: \$83,500 Increase: \$61,822

New Pool Cost Considerations:

- Operating and Staffing Expenses are staff's best estimate and could be lower or higher.
- Potential Revenue is staff's optimistic estimate and could be lower or higher and could vary year to year.
- A 15% contingency is in the estimated cost of building a new pool; however, unknown and unanticipated costs (future requirements by the County, new codes, economic conditions, etc.) could exceed the contingency.

(continued...)

- Prior pool operations and staffing costs exceed pool revenue by \$63,087. With a new pool, this amount is estimated to be reduced to \$52,535, a 17% improvement in cost recovery due to a projected increase in aquatic programming.
- Operating and staffing expenses are likely to increase each year due to mandatory minimum wage increases and inflation; aquatic fees will have to increase annually to keep pace with increased costs.
- If aquatic programming revenues are overly optimistic, Zone 8 or Community Center Reserves will have to make up the difference.
- In FY17/18, \$263,646 of Zone 8 money was used to underwrite Community Center costs. If Hofmann Settlement Funds are completely expended on a new pool, there will be no Hofmann Settlement Funds available to reduce reliance on Zone 8 for Community Center funding. There would likely be some monies left in the Community Center Reserves.
- Having Hofmann Settlement Funds available to offset Community Center expenses, may free up more money in Zone 8 to spend on Capital Improvement Projects within the Zone.
- In preparation for an RFP, the design development phase of a new pool would cost approximately \$65,000. If actual construction bids come in higher than estimated, the project could be stopped and reevaluated.

Process

- 1) If the Board votes to eliminate the pool, staff will go out to RFP and end the current contract with Adams Pool Company. Results of the RFP would come back to the Board for approval.
- 2) If the Board votes to refurbish the pool, staff will notify Adams Pool Company to continue with the contract.
- 3) If the Board votes to build the new pool, staff will work with Terracon to provide a scope of work for design development. The Scope of Work and Agreement would come back to the Board for Approval.

Previous Relevant Board Actions for This Item

November 7, 2018
 December 5, 2018
 February 6, 2019

Attachments

AGENDA ITEM: G-1



EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Meeting Minutes February 19, 2019 3:00 PM.

Committee Members

Joe Young
Chair

Stephen Smith

1. Call to Order and Roll Call / Introductions: (3:00 pm)

Roll Call:

Present: Young, Smith

Absent:

Other Board of Director's Present

2. Public Comment : (3:00 pm)

There were no (0) Public Speakers

3. Approval of January 22, 2019 Finance Meeting Minutes: (3:01 pm)

Minutes from the January 22, 2019 meeting approved by the committee

4. Discussion of the Mid-year Budget amendments from Implementation Action Plan: (3:03 pm)

Committee recommended staff prepare item for March 13, 2019 Board Meeting for Finance Committee report.

5. Discussion of establishing a Revenue Stabilization Fund : (3:23 pm)

Committee recommended staff prepare item for March 13, 2019 Board Meeting for Finance Committee report.

6. Discussion of deferred Capital Budget Items: (4:03 pm)

7. Discussion of 2019/20 Community Facility District Revenues: (4:13 pm)

8. Discussion of purchasing two Battalion Chief vehicles: (4: 17pm)
9. Discussion of Browning Report: Report not available for discussion
10. Discussion of 2017/18 Audit : (4:22 pm)
11. Requests for Future Agenda Items: (4:27 pm)
 - Audit
 - Browning Report
 - Strategic Planning initiatives
 - Engineer Updates
12. Adjournment: Next meeting: March 18, 2019 : (4:30)

DRAFT